

and included from the beginning a "limited antitrust defense" to ensure companies are not prosecuted for actions they are requested to take by government during an oil emergency.

This is exactly the type of voluntary co-operation Congress should be encouraging. For three years now, the Administration and the U.S. oil industry have been asking Congress to update EPCA's antitrust provisions to permit them to assist the U.S. government and the I.E.A. in carrying out a coordinated stock drawdown. The Senate's bill includes language supported by both the Administration and industry.

Unfortunately, H. Res. 317 does not address the antitrust issue. Hearings have been held, testimony has been provided, and no objection has been voiced to the type of changes the Administration has proposed and the Senate has adopted. This is an entirely unnecessary omission, and represents a failure by the House and its leadership to properly discharge their responsibilities. Let no one be mistaken—in the event that international oil markets suffer a severe shock in the coming months, the I.E.A. will be hamstrung in its ability to temper the impact on consumers and financial markets because U.S. oil companies will not be able to participate fully. This is a mistake which could have been averted had the necessary homework been done at the proper time.

While I support H. Res. 317 and urge members to vote for the resolution, I do so with a sense of regret and measure of anger at the choice with which this body has been presented.

Mr. HALL of Texas. Mr. Speaker, I thank the gentleman from Colorado for his leadership on this issue, and I yield back the balance of my time.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado [Mr. DAN SCHAEFER] that the House suspend the rules and agree to the resolution, H.R. 317.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996 AMENDMENT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2920) to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the requirements for implementation of an entry-exit control system.

The Clerk read as follows:

H.R. 2920

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

SEC. 1 Modification of Entry-Exit Control System.

Section 110 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 is amended—

(1) in subsection (a), in the matter preceding paragraph (1), strike "Act," and insert "Act (and not later than 3 years after the date of the enactment of this Act in the case of land border points of entry).";

(2) in subsection (a)(1), strike "and" at the end;

(3) in subsection (a)(2), strike the period at the end and insert "; and";

(4) by adding at the end of subsection (a) the following:

"(3) not significantly disrupt trade, tourism, or other legitimate cross-border traffic at land border points of entry.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. SMITH] and the gentleman from Michigan [Mr. CONYERS] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that Members have 5 legislative days in which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Congress has required the Immigration and Naturalization Service to develop and implement a system to track the entry and exits of those crossing our borders. The purpose of this bill is to make sure that such a system will not substantially impede trade or traffic across our borders, both northern and southern.

The intent is, first, to set a reasonable time frame for the development and implementation of an exit/entry system and, second, to reaffirm that it is the policy of this Congress that such a system is to be developed so that, upon implementation, it will not substantially impede trade or border crossings.

Understandably, this matter may be of particular concern to those States along our northern border. Unlike the southern border, there are relatively few northern border entry points and they already are congested by high volumes of traffic frequently using one- and two-lane highways and bridges. Any further slowdown in the flow of such traffic could be seen as hurting the economies of many States, especially New York, Michigan, and Washington State, but also Minnesota, Wisconsin, Maine, Pennsylvania, Idaho, Montana, North Dakota, Vermont, and New Hampshire.

States along our southern border, where 2½ times as many individuals were inspected than were along our northern border in fiscal year 1997, are more experienced in addressing these kinds of problems. For instance, today in San Diego thousands drove across the border and were monitored electronically. Some entry points on our southern border have as many as 23 lanes to speed traffic.

Increased trade with Mexico has spurred investments in the construction of major new crossings elsewhere. What this bill does is reassure all Americans and our neighbors both to the north and to the south that, as the United States exercises its right to control its borders, it is also committed to facilitating trade.

We should expand our Nation's capacities to trade with our neighbors as well as facilitate the lawful crossing of citizens on both sides of our borders. Unfortunately, many people enter our country along our northern and southern borders legally but, wrongfully, never return home. Forty percent of the estimated 5 million illegal aliens in the country today entered in such a manner, overstaying their visas.

The United States needs to develop an entry-exit system to fairly and effectively address these illegal overstays, but we must do so in a manner that does not significantly disrupt trade, tourism, or other legitimate cross-border traffic.

Some may suggest this bill would set a different standard for people crossing our northern border. Any such suggestion is contradicted by the facts. This bill treats our southern and northern borders exactly the same. It makes no distinction.

Again, this bill is an affirmation of two important national policies; one, that we have a right and duty to control our borders; and, two, that it is in the best interest of the United States and our neighbors both to the north and south to act so as to facilitate trade and border crossings.

Our task in the House today is to ensure that border crossings will not be substantially impeded while we also protect the Nation's interest in being able to control our borders. And that is exactly what this bill does.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Carolina [Mr. WATT], the ranking minority member.

Mr. WATT of North Carolina. Mr. Speaker, I rise in opposition to H.R. 2920.

As the ranking member of the Subcommittee on Immigration and Claims, I have had the opportunity this year to learn a great deal about America's borders and the importance of securing the borders against illegal immigration, narcotic, and alien smugglers, and potential terrorists. Because of this, I have supported efforts by the chairman of our subcommittee to increase security along the southwest border of the United States.

Because of the success along the southwest border, pressure has increased along the northern border. I recognize that there is a long tradition of openness between the United States and Canada along the northern border, but times are changing, and I believe our policies must adjust to reflect these changes.

There have been numerous incidents of alien smugglers bringing in hundreds of illegal immigrants across the border between Ontario and upstate New York. One of the terrorists on trial for participating in the conspiracy to blow up the Lincoln Tunnel in New York entered the United States from Canada. The Canadian border must be as secure as the southern border. Otherwise, we might as well put a neon light over the Canadian border inviting immigrants to come across it with impunity.

Section 110 provides that by October 1, 1998, the Attorney General will develop an automated entry and exit control system that will collect a record of departure of every alien departing the United States and match the records of departure with the records of aliens arriving in the United States. This would enable the Attorney General to identify folks who are overstaying their visas or staying in the country illegally.

In fairness, the language of this bill is neutral on its face and makes no direct reference to Canada. Make no mistake about it, however; this bill is about treating Canada and the northern border differently from Mexico and the southern border.

There are already stringent entry control systems in place along the southwest border. Because the INS has a record of every entry from Mexico, it is able to determine when someone entered the United States and whether they overstayed or violated the terms of that entry. This is not the case along the Canadian border.

Crossing into the United States from Canada is not unlike driving through a toll booth. Passengers answer some routine questions, and if they are citizens or legal permanent residents of either Canada or the United States, they are flagged through. Once in the United States, Canadians are virtually indistinguishable from other Americans. Perhaps that is why Canada ranks fourth as the source country for illegal immigrants in the United States.

There are at least 120,000 Canadians working illegally in the United States, and none of these people entered the country illegally. Nearly half of all the illegal immigrants in the United States overstaying the terms of their valid tourist or student visa came in through the Canadian border. Overstaying or violating the terms of valid visas is the illegal immigration method of choice for Canadian, Europeans, and others who know that the INS will never find them.

Section 110 of the illegal immigration reform bill was specifically designed to give the INS the tools to combat this problem. If my colleagues are truly committed to combating illegal immigration in all its forms, if my colleagues want an immigration policy that does not distinguish between white Canadians and colored Mexicans, then we must enforce the laws on an equal basis and do it in a racially color-blind way.

I think this bill does not support that proposition, and I rise in opposition to the bill.

Mr. CONYERS. Mr. Speaker, I reserve the balance of our time.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Texas [Mr. SMITH] for yielding me the time.

I really am sorry that this bill is being characterized as dealing with only one of our borders. And I really am upset with the Congressional Quarterly, which put out a publication this morning here which said "U.S.-Canadian border controls," and it talks about our legislation.

Well, our legislation is sponsored by Members from all of the borders from all over the country. It is not just, sure, I am concerned about it because it deals with New York State. But my colleagues ought to, I think, listen carefully to the debate.

Last year, Congress did pass legislation which would require the Immigration and Naturalization Service to document the entry and departure of every alien in the United States beginning no later than September 30, 1998. That is really just around the corner when we start talking about putting in this kind of a program.

This legislation, with the best of intentions, was designed to prevent visa overstays and control the flow of illegal immigrants and the transmission of illegal drugs, terrorism, and other things. The problem is that this legislation, as it is currently drafted, could have a devastating effect on commerce, on tourism, along the Texas border, the California border, and all across all of the borders across the northern United States, on both sides of the borders.

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In New York State, we have many, many corporations that have corporations right across the border, and many United States citizens, New Yorkers, live in New York and work in Canada. There are many other corporations who have the same businesses in both countries and they have Canadian citizens that come across the border daily. Many of them are nurses and doctors, of which we have a real shortage in northern New York, for jobs.

Mr. MCHUGH. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from New York.

Mr. MCHUGH. The gentleman made mention of treating the two borders differently and I think that is an important fact. It is my understanding that this bill treats both borders equally, that the delay applies equally to both borders. So I would suggest to the gentleman that is not an issue in this particular context.

Mr. SOLOMON. Let me just say that this bill is simple. It delays the implementation of the exit and entry control

system until 1999. It will take that long to implement the system, anyway, even if we were to let it go ahead.

In addition, it adds statutory language which specifically requires, and I think this is what we need to listen to, because this affects American jobs, this adds statutory language which specifically requires that any automated system, implemented by the INS, will not disrupt trade, tourism or any other legitimate border crossing traffic.

Mr. Speaker, the value of trade crossing on all our borders is immense. For instance, direct trade between New York State and Canada totaled \$24 billion last year alone. I could go on and on. In New York State, many merchants and communities along the Canadian border owe at least 50 percent of their business to Canadian visitors. The same thing is true in Texas and in California. I hope my colleagues can support the legislation. It is very important to us.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. LAFALCE].

(Mr. LAFALCE asked and was given permission to revise and extend his remarks.)

Mr. LAFALCE. Mr. Speaker, first, I strongly support this bill, although the bill does not go far enough. I support it in the hope that we can go further within conference with the Senate. Why does the bill not go far enough? Because it simply delays the effective date with respect to land borders from September 30, 1998 to September 30, 1999. The Clinton administration has said to this Congress section 110 cannot be enforced. The Clinton administration has said to this Congress with respect to land borders, repeal section 110 because it cannot be implemented. They have submitted legislation to this Congress calling for its repeal, and all we are doing in this bill is delaying the effective date for one year. The Clinton administration says it cannot be enforced, repeal it with respect to land borders.

Mr. Speaker, I have introduced some other bills. In September I introduced H.R. 2481. Yesterday I introduced a companion bill to Senator ABRAHAM's bill, H.R. 2955. I believe that the bill that Senator ABRAHAM has introduced in the United States Senate, to which a few dozen of us cosponsored yesterday, is the more appropriate approach.

I am not an expert on the Mexican border. I consider myself an expert on the Canadian border, however. When I was a young boy, I lived perhaps two blocks away from the Peace Bridge going from the United States to Canada and vice versa. That is where I played baseball, that is where I learned how to swim, play tennis. We used to walk across the Peace Bridge to Canada, to go swimming, to go fishing as easily as one would go from Virginia to Maryland to the District of Columbia, as easily as one would go from North Carolina to South Carolina. We pride ourselves on a shared border, on an

open border. Do not regress in history. Do not turn aside 200 years of history and build a wall around the United States. Do not say to individuals, before you can leave the United States, we must document each and every person leaving the United States. We have never done that before, we ought not to do it now. At the very least, delay its implementation until September 30, 1999 rather than September 30, 1998, when cooler heads might be able to prevail.

Mr. SMITH of Texas. Mr. Speaker, I yield 2½ minutes to the gentleman from Michigan [Mr. KNOLLENBERG].

Mr. KNOLLENBERG. Mr. Speaker, I rise to enter into a colloquy with the gentleman from Texas [Mr. SMITH]. I have some concerns about H.R. 2920 that have been raised by the gentleman from New York [Mr. LAFALCE]. I do believe that section 110 of this immigration reform bill does require some revision, or some study.

As a Representative from Michigan, a State which shares a wide border with Canada, I have strong concerns about the impact that section 110 may have on States all across the northern border. Implementation of this system would slow commerce to a virtual standstill. Let me give Members an example in my State of Michigan. For example, in Detroit alone, in Port Huron, some 30,000 motorists, actually more than that, 30,000, at the Ambassador Bridge alone cross daily. In fact, the President of the International Bridge Company has testified that that could result in backups, delays, and I am talking about people that work on both sides of the river, both sides, it would back up traffic perhaps halfway to Flint, Michigan, 40 or 50 miles, and on the Canadian side even further. In particular, this system would cripple the automotive industry and the local economy which, as Members, know depends upon just in time deliveries.

What I would like to do, if I could, I wanted to enter into a colloquy with the gentleman to make a determination, and I think the way the bill reads right now is that border crossings will not be substantially impeded. We have a great deal at risk here. I wanted to get the gentleman's assurance that that would be the case.

Mr. SMITH of Texas. Mr. Speaker, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentleman from Texas.

Mr. SMITH of Texas. The gentleman is correct. The language in this bill is mandatory and says that the entry-exit system shall not significantly disrupt trade, tourism or other legitimate cross border traffic. I believe the bill will do exactly what the gentleman would like to see done.

Mr. KNOLLENBERG. If I could reclaim my time, I would like to just say that I think the gentleman from New York [Mr. LAFALCE] has an idea that is shared by a number of others. We want to do what obviously is best. We have some time now to do that. I thank the gentleman for making a clarification.

Mr. CONYERS. Mr. Speaker, I yield myself 1 minute.

To the distinguished gentleman from Texas, the chairman of the subcommittee, we never had hearings on this. This was introduced up in the Committee on Rules and shot through here like a bullet. This is a very important subject. Does the gentleman have any idea why we did not? It is our committee. It is the gentleman's subcommittee. We never had hearings. I guess that does not matter.

Now he comes here in the middle of the night telling us this is a very critical matter. We have all kind of hearings all year long on everything in the gentleman's subcommittee. I, for one, if I have any sympathies for this measure, do not like the process that it was carried on in.

I rise in strong opposition to H.R. 2920, providing for a 1-year delay in section 110 of last year's immigration bill (requiring a border card on the Canadian and Mexican borders).

No Member is more concerned about the potential problems caused by section 110 than I am. We can see Windsor, Canada from my district. Last year United States trade with Canada was over \$355 billion making it the largest exchange between any two countries in the world. Of that figure, 57 billion dollars worth of goods were traded with Michigan—giving it a larger share of trade with Canada than any other State. The State Department has stated, "Section 110 represents a serious speed bump on the continued expansion of our economic relationships—one which could literally cause traffic across our northern land border to slow to a crawl."

However, H.R. 2920 is the wrong fix at the wrong time. This is a difficult problem which involves sensitive and complex issues concerning trade, drug running, tourism, and illegal immigration. Yet, the bill comes to this floor without the benefit of any committee hearings, debate, or report.

The bill is strongly opposed by the Canadian Government. They have written:

In a nutshell, Canada opposes the bill because it would only postpone a problem that really needs to be eliminated . . . under the present circumstances, the best course of action would be to refer H.R. 2920 to Committee, in order for it to be properly debated before being brought before the full House for a vote.

From my perspective, there are far preferable approaches available. The Senate has already conducted two hearings on the issue and Senator ABRAHAM has introduced legislation (S. 1360) which provides for a full exemption from the land border crossing requirements while we study the problems of implementing this vast new bureaucracy. A counterpart bill (H.R. 2955) has been introduced in the House which is supported by the administration.

In order to consider these and other responses, we need to vote this bill down today, so we can look at this issue in the Judiciary Committee with more than 24 hours notice.

H.R. 2920 is a "Band-Aid quick fix" which does not provide the proper solution for our border control concerns. Section 110 is not scheduled to be implemented until October 1998. We have plenty of time to hold committee hearings and develop a practical bipartisan solution to this problem.

I urge a "no" vote.

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. CAMP].

Mr. CAMP. Mr. Speaker, I thank the gentleman for yielding me this time. I just want to mention that I know this legislation is approved also by the gentleman from Illinois [Mr. HYDE], the chairman of the committee. I think this is critical. I am glad that we are acting, because the implementation date of September 30, 1998 could cause tremendous disruption in Michigan, not only to tourist traffic but to trade and to our economy. I think this new statutory requirement that this automated system will be delayed until 1999, and it will not disrupt trade, tourism or other legitimate cross border traffic is a good thing. I strongly support the bill.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. I just find it very amazing that all of these representations are being said about what disruption is going to happen on the Canadian border as if the same disruptions do not happen on the southeastern border and the southern border. There is absolutely no distinction between the northern border and the southern border. The same arguments that apply on the northern border apply on the southern border. All these people are talking about, well, 50 years ago I used to play on the Canadian border. Fifty years ago we all used to keep our doors unlocked at night. But nobody does that now. We have turned up the pressure on the southern border and people are going around, coming in the northern border as if it is a sieve. It was the Republicans who kept telling us last year that we had to secure our borders. Now they are back making exception after exception after exception.

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore [Mr. EVERETT]. The gentleman will state it.

Mr. SOLOMON. Mr. Speaker, I am confused about who is managing the time on that side of the aisle. I have heard the gentleman from Michigan [Mr. CONYERS] yield time, but then I am told that the gentleman from North Carolina [Mr. WATT] has the time. Who is managing the time on that side of the aisle? And how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Michigan [Mr. CONYERS] is managing the time for the minority.

Mr. SOLOMON. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Michigan [Mr. CONYERS] has 10¼ minutes remaining, and the gentleman from Texas [Mr. SMITH] has 10½ minutes remaining.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MCHUGH].

(By unanimous consent, Mr. MCHUGH was allowed to speak out of order.)

REQUEST FOR AUTHORITY FOR SPEAKER TO DESIGNATE TIME FOR RESUMPTION OF PROCEEDINGS ON REMAINING MOTIONS TO SUSPEND RULES CONSIDERED MONDAY, SEPTEMBER 29, 1997

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to designate a time not later than the legislative day of November 14, 1997, for resumption of proceedings on the seven remaining motions to suspend the rules originally debated on September 29, 1997.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. WATT of North Carolina. Mr. Speaker, reserving the right to object, I am afraid I did not understand what the gentleman was doing in the midst of the debate on this bill. Would the gentleman restate what he is doing?

Mr. MCHUGH. Mr. Speaker, if the gentleman will yield, I am informed that the unanimous-consent request had already been agreed to and I was reading the text of that into the RECORD.

Mr. WATT of North Carolina. There cannot be a unanimous consent that is agreed to if he is asking unanimous consent on the floor.

Mr. SOLOMON. Mr. Speaker, regular order.

Mr. WATT of North Carolina. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. WATT] has reserved the right to object.

Mr. MCHUGH. Mr. Speaker, I withdraw the unanimous consent request, and I yield to the gentleman from New York [Mr. SOLOMON].

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Mr. SOLOMON. Mr. Speaker, evidently my good friend, the gentleman from North Carolina [Mr. WATT], and he is a good friend, did not hear my testimony earlier. I spoke about the borders of California, about the borders of Texas.

As my colleagues know, we are talking about all of the borders of this land. This legislation affects the borders on California, the borders on Texas, the borders on all across the northern part of the country. They are all affected the same, and we should not be trying to mislead, and I thank the gentleman from New York for having yielded me the time.

Mr. MCHUGH. Mr. Speaker, I would just add to my friend, the gentleman from Michigan [Mr. CONYERS], he asked why have we not had any hearings, and I think that is an appropriate point. I would suggest to him that this arose very quickly because very quickly the Immigration and Naturalization Service came to us in my office and said, "By the way you will be the lucky recipient of a test program." We felt that that had not had hearings. That indeed had not been an issue discussed, and I would suggest to the gentleman that

the entire point behind delaying the implementation of this bill for years was to provide the gentleman and the gentleman from Texas [Mr. SMITH] and others who have a direct and very understandable interest in this with the opportunity to have the hearings, and therefore I believe we should support this for the very reasons he stated.

Mr. CONYERS. Mr. Speaker, I yield myself 1 minute.

Now there is no urgency on this bill. This is not an appropriation. This is not anything. It has not had a hearing, and here we are at midnight and one of the last days of the first session of the 105th Congress talking about a 1-year extension. We had plenty of time to hold all the hearings in the world in the Committee on the Judiciary, which the gentleman from Texas [Mr. SMITH] has never held on this subject. Now the Senate has held hearings on this subject, and by the way, the other body has no inclination whatsoever, whatsoever to pass this measure.

So what I am saying is that the best reason to be against this measure is that we do not understand its import and we are not in any rush. This measure does not expire until October 1998.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding this time to me.

I do not want to get caught in the crossfire of who had or did not have hearings, but there is some urgency to this matter, and it is very uncomplicated.

Mr. Speaker, I did not vote for this immigration bill to begin with because I thought it was going to have many of the problems that have come up because it is so complicated, and the border between the United States and Canada is one of the most complex. It is also the longest open, free, unguarded border in the entire world. Every day a billion dollars in goods and services cross the border from Canada to the United States and back and forth.

In an era of just-in-time delivery of goods, it is extremely important that we have a smooth flow across the U.S.-Canada border for that billion dollars daily of economic activity to survive. But with this legislation the more than 76 million people who enter the United States by land from Canada are going to line up, be checked in, have long waiting lines.

And let me just tell, my colleagues, what happens from the International Falls Daily Journal newspaper, the northern border of my district, a place that most of my colleagues will recognize as the cold spot of America. Right across the water is Fort Francis, Canada. Mark Elliot crosses the International Bridge of the United States nearly every day to visit his girlfriend in International Falls. Crossing between these countries normally takes very little time because he is such a familiar face, he and many other resi-

dents. But a law scheduled to take effect in 1998 will make his visits more difficult.

That is what it is all about. It comes down to one human being. This is a border control, this is an entry/departure control measure, it is not an inspection requirement. It is going to build up complexity between our two countries. It is going to build up complexity between the United States and Mexico. The amendment that we are considering tonight applies to both borders, will resolve these complexities.

I do not address the United States-Mexico situation because I do not live there, and I do not understand that problem, but I do understand United States-Canada, and for every individual to have to have an entry or departure control document is going to, for those 76 million crossings, is going to be extraordinarily complex. I can imagine it would be even worse on the United States-Mexican border.

It is not difficult to understand the problem. This is a very simple fix of 1 year delay. Give us time to adjust, to think out, what this language means. We should not have passed that bill in the first place, but having passed it, this mistake ought to be corrected.

Mr. CONYERS. Mr. Speaker, I yield myself 20 seconds.

To the gentleman from Minnesota [Mr. OBERSTAR], my ranking member on the Committee on Transportation and Infrastructure, my best friend, No. 1, that guy with the girlfriend in Canada, one of them ought to move. No. 2, the Canadian Government, not that we give a hoot about their opinion, is totally opposed to what we are doing, not that that matters.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. REYES].

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding this time to me, and now I can perhaps give some personal perspective to what is being discussed here this evening in the hypothetical, although I will tell my colleagues that hearing some of the impassioned reasons like trade, commerce, long waiting lines, tourism, congestion; as my colleagues know, they are discussing Canada, but they are describing the southern border with Mexico, and my good friend, the gentleman from Minnesota [Mr. OBERSTAR], made mention that perhaps this bill should never have been passed.

Well, absolutely there were a lot of things that were passed in this House before I was able to be here that should not have been passed. There were a lot of things that we are going to have to go back and address because they are simply not fair, and what we are doing here this evening is simply not fair.

And I can tell my colleagues as an ex-immigration officer, as an ex-border patrol chief, the gentleman from Michigan [Mr. CONYERS] is absolutely correct. If we shut down the southern border, guess where they are going to smuggle from? Guess where intelligence today tells the United States

Border Patrol, the United States Customs, the United States Immigration Service, the United States Secret Service, guess where the focus of entry is? Guess where the only documented cases of entries into this country for terrorism have come through? It has not been through Mexico, because, no, we have been pretty darn tough on Mexico. It has been through the Canadian border, because, as several of my colleagues have said, heck, we have an open border up there.

I grew up there. I played baseball. I went back and forth. There is a gentleman that has got a girlfriend and goes back and forth. Well, guess what? Those same things could describe the relationship between Texans and Mexico, between New Mexicans and Mexico, between Arizona and Mexico, between southern California and Mexico. All of those things are appropriate, all of those things apply to the southern border of the United States as well.

And my point here tonight is that this issue is about fairness. This issue is about listening to ourselves as we make these arguments in some inane way where the people on the southern border cannot understand us. First my colleagues want to be tough, then they want to be not so tough on the northern border. Well, my colleagues, it does not work that way. It does not work that way because the men and women that enforce the laws of this country, myself included for 26½ years, are impartial. We do not want to enforce one law on the southern border and another law on the northern border. We do not want to treat Canadians one way and Mexicans a different way.

Let us get a grip. If we want to be fair, if this country is going to remain the beacon of fairness, the beacon of liberty, the beacon of opportunity, then for God's sake let us do the right thing and let us apply the law equally on the northern border as it is on the southern border.

Mr. SMITH of Texas. Mr. Speaker, I yield 20 seconds to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Speaker, I simply want to respond to the concern of the gentleman and others who have spoken about shifting of drug trafficking from one border to another. I tell my colleagues we have got a wilderness border between the United States and Canada in my district, and the timberwolves will get them before anybody else gets across that border, believe me. There is no trafficking across that border.

Mr. CONYERS. Mr. Speaker, I yield myself 20 seconds.

There is not any trafficking across that part of the northern border, but there is plenty of drugs increasingly coming in at the northern border.

And one more thing, my colleagues. This bill is being represented as a temporary fix. What the real deal is is that it is going to be permanent, and we will never get to the hearings on the bill that everybody is for or against it. It never had hearings.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. QUINN].

Mr. QUINN. Mr. Speaker, I thank the gentleman for yielding this time to me.

I want to associate myself with the remarks of my good friend, the gentleman from New York [Mr. LAFALCE], earlier tonight. When my other dear friend, the gentleman from North Carolina [Mr. WATT], talks about the fact that there is absolutely no distinction between these two borders, we are simply coming here tonight to tell our colleagues in a very calm, experienced way that we think there might be some distinctions, and we would like to share some of those differences with our colleagues if we see some. My other friend from Texas says that they are all the same, and I would suggest to him that this is exactly the reason we want to try to treat them the same.

Now, we had an opportunity tonight to hear about statistics and numbers and the amount of trade and the tourism that goes back and forth between at least the border that we know best, the Canadian border. I would like to suggest to the rest of my colleagues as we look at 2920 that there is also the people that are involved here entering into that equation.

When my good friend, the gentleman from New York [Mr. LAFALCE], talks about his knowledge and experience in the Buffalo area at the Peace Bridge, I want to add to that my own experience, and it is not ancient history, colleagues, it is not something that happened 50 years ago or 60 years ago, it is happening today. It is happening right now, and it is happening with young people, experienced people, whether it is drivers, whether it happens to be jobs, it is happening now.

And all we are suggesting to our colleagues is that we would like the time that 2920 suggests to have some of the hearing and some of the time that has been talked about, but we are not just trying to tell our colleagues that we are telling someone else what they should do. We have some experiences there, we know what is happening at that border, and we are suggesting to our colleagues that if this plan is implemented now, it will be disastrous to affect not only trade, not only jobs, not only commerce, all the good things my friend from Texas talked about, but also affecting people's everyday lives.

And it is not political, and it is not Democrat, or it is not Republican. We have got people from both parties here trying to add some intelligence to the discussion.

□ 0015

Mr. CONYERS. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, we need experts like that to testify at a hearing. You know, we are at midnight talking about all the experts on immigration at the northern border, and we have not had one hearing on this whole thing. I suggest this suspension be turned back

and that the Committee on the Judiciary do its job.

Mr. Speaker, I yield 1½ minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Speaker, sometimes we screw up, and when we do, we need to take steps to fix it. When we passed the illegal immigration reform bill, that put on to the INS the requirement to develop a system for documenting every alien entering and leaving this country by October of 1998. We put in place a system that could not work, that will not work, and that threatens commerce on both borders.

This is about delaying the effective date of that one year, and I believe we will even have to take additional steps, as outlined by the gentleman from New York [Mr. LAFALCE] and others.

Let me just show you North Dakota. I represent this State. It is a State that shares one of the longest borders with Canada in the entire country. It is absolutely vital to our commerce, more than \$50 million of commerce to North Dakota coming back and forth every year, 2 million border crossings in North Dakota alone.

This has not been a problem. What the people back home cannot understand is, when Congress makes a mistake, we all make mistakes, but why can we not fix the mistake before people get hurt?

I have got letters here from small businesses all across the State of North Dakota. Now, they are not involved in any of the high stakes and the high rhetoric about the immigration reform. All they know is, they need the daily flow of commerce like they have had it.

Please, please, do not hurt North Dakota's economy on a mistake that we did last year. Let us fix this mistake, or at least delay the implementation 1 year. Please pass this bill.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Speaker, I ask my colleagues on both sides to listen to the discussion. I heard my colleague talk about when the borders used to be open in Canada. I remember walking up and down the beaches along the Mexican border all the time. We do it today.

But this debate is really showing that we need to have internal enforcement. Do not try to do it all at the border. I do not care if it is in my neighborhood, that of the gentleman from Texas [Mr. REYES] and mine with Mexico, or Canada.

I call on everyone saying that they want to see the good things continue to go across the border and to stop the bad things; let us finally sit down and work on internal enforcement. Do not try to do it all on the borders or all in the Canada neighborhoods or in the Mexico neighborhoods of those of us who live next door to it.

Let us get together and say all of America should be participating in controlling illegal immigration. Not

just those of us on the frontier who just happen to live along the border, but all Americans should join in this. Let us take this debate and accept that there is a problem here and in Mexico. Back and forth, we need to have a check system. In Canada we need it. But we also need a check system on every employer and every social program in America.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Maine [Mr. BALDACCI].

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Maine.

The SPEAKER pro tempore [Mr. PEASE]. The gentleman from Maine [Mr. BALDACCI] is recognized for 2 minutes.

Mr. BALDACCI. Mr. Speaker, I thank the gentlemen for yielding me this time.

Mr. Speaker, I am almost hesitant to wade into this discussion going on, but I feel I must, especially since Maine does border Canada and we have been very deeply involved in this.

This is a very technical matter. It is a technical correction that is being offered, and it is something that is not a fight between the Mexican border or the Canadian border. Unfortunately, Section 110 overlooks the history and tradition of the longest peaceful border in the world, and that is shared north-north borders with Canada.

For decades, most Canadian nationals have been exempt from registering with the I-94 documentation for entry into the United States. In 1996, more than 116 million people entered the United States by land from Canada, and 76 million more were Canadian nationals or U.S. permanent residents. Imposing a registration requirement on Canadians who otherwise are not required to possess a visa or passport will cause traffic tie-ups of chaotic proportions.

All this bill purports to do is, it purports to delay the implementation of the requirements on both borders. It is a technical correction.

Mr. WATT or North Carolina. Mr. Speaker, will the gentleman yield?

Mr. BALDACCI. I yield to the gentleman from North Carolina.

Mr. WATT of North Carolina. Mr. Speaker, I just want to say, people keep saying that. Understand, the Mexican border, the entry system is already in place. So this notion that we are delaying and it is just applying to equally is just not true.

Mr. BALDACCI. Mr. Speaker, reclaiming my time, this bill is a technical bill that only delays the implementation on both borders. It does not show a preference on one border or the other. It delays the implementation of the rule on both borders, so it is not showing preference. This is very badly needed because of the interests, especially of what we are talking about, because the Canadian Government does not only support moving in this direction, but they want to do it perma-

nently. They are not in opposition to the direction, they just would like to have more instead of less.

We are 99.9 percent problem-free. We have an agreement between the United States and Canada that was a border agreement accord which was the framework of the border inspections.

I urge Members to support this legislation.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. BECERRA].

Mr. Speaker, will the gentleman yield?

Mr. BECERRA. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I wanted to appeal to the distinguished subcommittee chairman to consider withdrawing this bill. It is clear we need hearings. The smart thing for us to do at 12:20 in the morning is to take this thing back to the Committee on the Judiciary, where it has never been.

Mr. BECERRA. Mr. Speaker, reclaiming my time, I thank the gentleman for yielding me this time.

Mr. Speaker, I believe it was the chairman in the beginning of this debate that said that this country has the right and the duty to control our borders. Well, if we pass H.R. 2920, we will be asserting our right but we will be ignoring our duty.

You see, back in 1996, just a year ago, we passed a law that said that we must inspect our borders, both in terms of people entering and people leaving. For Mexico, last year we imposed that entry check, so anyone coming into this country from our southern border right now must go through this entry check.

It was not until this year, a year later, that the exit check for both Mexico and Canada was to take effect, along with the entry check for Canada, which did not take effect when the entry check for Mexico took place. Only now is that entry check now going to take effect in Canada.

But where was the outrage about the disruption to commerce, to tourism, to family ties, when we imposed the entry check on the U.S.-Mexico border? Now we hear the outrage. The same thing applies, but it is different treatment. What people are saying today is, if it was good enough for one part of the border, it is good enough for the rest of the borders.

What we have to understand is, what we do today if we pass this bill is say we are allowing and willing to allow people to come into this country, overstay their visas, and become undocumented individuals in this country.

Understand, there are people that cross through all parts of our border. If you vote for this bill, you are saying you are willing to allow people to overstay and become, as many of you term it, "illegal aliens." So understand, do not make any mistake about it, this is not to just conform the law, this is not to try to take care of disruption for commerce and family, this is an at-

tempt to try to withhold the function of the law, the application of the law, for one place but not for others. If it is fair for one place, it should be fair for all the others.

The SPEAKER pro tempore. All time for the gentleman from Michigan [Mr. CONYERS] has expired.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I want to say my friend from California has, I believe, made a statement that was inaccurate. The point of this bill, H.R. 2920, is not to eliminate an entry-exit system but simply to make the system more workable.

Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. LAFALCE].

Mr. LAFALCE. Mr. Speaker, first of all, I want to reiterate one point: That is, the Clinton administration favors repeal of section 110 with respect to land borders. The Canadian Government favors repeal also. This bill does not call for repeal; it calls for a 1-year additional delay.

I also want to thank the distinguished ranking Democrat on the Committee on the Judiciary, the gentleman from Michigan [Mr. CONYERS], for, number one, being an original cosponsor of the bill, H.R. 2481, repealing it; for being an original cosponsor of H.R. 2955, repealing it; for having testified before Senator ABRAHAM's hearing in Detroit respecting it; and for indicating at that time that when the technical corrections bill is taken up in the Committee on the Judiciary, he would offer an amendment to the technical corrections bill seeking repeal of section 110 with respect to land borders.

Until we get to that point though, let us delay its effective date for 1 year.

Mr. SMITH of Texas. Mr. Speaker, I yield 30 seconds to the gentleman from Washington [Mr. METCALF].

Mr. METCALF. Mr. Speaker, this issue is very critical to my district. I have the second largest traffic in the whole country, I believe, from the Blaine border crossing. It is very critical, very important. I believe this is a technical correction, and it is just very vital.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge my colleagues to support this bill, H.R. 2920. It will do two things: It will facilitate trade, and it will protect our borders. Most importantly of all, it has one fair standard for both borders, north and south.

Mr. Speaker, it will affirm America's commitment to facilitate lawful trade and border crossings with our northern and southern neighbors and also support development of a workable, and I emphasize the word "workable," border entry-exit system for all our borders.

Mr. NETHERCUTT. Mr. Speaker, I rise today in support of H.R. 2920, introduced by my colleague from New York, Mr. SOLOMON. H.R. 2920 would delay the implementation of Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act (P.L. 104-

208) at land-based border entry ports from October 1, 1998, to October 1, 1999. Section 110 requires the Immigration and Naturalization Service [INS] to implement an entry-exit system at all entry points to the U.S. H.R. 2920 would still require the INS to implement an entry-exit system at U.S. airports and seaports by October 1, 1998, and would also require the INS to implement Section 110 in such a way that would not significantly disrupt or impeded trade or tourism.

I was a proud supporter of immigration reform last year, and believe that an entry-exit system should be an integral part of U.S. efforts to address illegal immigration. However, I believe Congress should provide the INS additional time to implement Section 110 at land-based border entry points. There are simply too many land-based entry points into the U.S., six in my district, for the INS to implement an entry-exit system by the end of next year. Allowing the INS to first implement an entry-exit system at U.S. airports and seaports should give the INS additional time to implement an entry-exit system in such a way that would not cause unnecessary delays at border crossing. Mr. SPEAKER, there have been numerous legislative proposals to address concern about Section 110, and I have been supportive of legislative corrections to Section 110. It is possible that Congress will pass such corrective legislation next year, but I believe this is too important an issue to leave unresolved until then. I thank my colleague from New York for introducing his bill at this time, and ask my colleagues to support H.R. 2920.

Mr. MCHUGH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. SMITH] that the House suspend the rules and pass the bill, H.R. 2920.

The question was taken.

Mr. WATT of North Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 325, nays 90, not voting 18, as follows:

[Roll No. 627]

YEAS—325

Ackerman	Blunt	Chambliss
Aderholt	Boehlert	Chenoweth
Allen	Boehner	Christensen
Andrews	Bonilla	Clement
Archer	Bonior	Coble
Armey	Bono	Collins
Bachus	Borski	Combest
Baker	Boswell	Condit
Baldacci	Boyd	Cook
Ballenger	Brady	Cooksey
Barcia	Brown (OH)	Costello
Barr	Bryant	Cox
Barrett (NE)	Bunning	Coyne
Barrett (WI)	Burr	Cramer
Bartlett	Buyer	Crane
Barton	Callahan	Crapo
Bass	Calvert	Cunningham
Bateman	Camp	Danner
Bereuter	Campbell	Davis (FL)
Berman	Canady	Davis (VA)
Bilirakis	Cannon	DeFazio
Blagojevich	Cardin	DeGette
Bliley	Castle	Delahunt
Blumenauer	Chabot	DeLauro

DeLay	Kildee	Porter
Deutsch	Kilpatrick	Portman
Diaz-Balart	Kim	Poshard
Dickey	Kind (WI)	Pryce (OH)
Dicks	King (NY)	Quinn
Dixon	Kingston	Radanovich
Doolittle	Klink	Rahall
Doyle	Knollenberg	Ramstad
Dreier	Kolbe	Redmond
Duncan	Kucinich	Regula
Dunn	LaFalce	Riggs
Ehlers	LaHood	Rivers
Ehrlich	Lampson	Roemer
Emerson	Latham	Rogan
Engel	LaTourette	Rogers
English	Lazio	Ros-Lehtinen
Ensign	Leach	Royce
Eshoo	Levin	Ryun
Everett	Lewis (CA)	Sabo
Farr	Lewis (KY)	Sanders
Fawell	Linder	Sanford
Fazio	Lipinski	Sawyer
Foley	Livingston	Saxton
Forbes	Lofgren	Schaefer, Dan
Fossella	Lowey	Schumer
Fowler	Lucas	Sensenbrenner
Fox	Luther	Sessions
Frank (MA)	Maloney (CT)	Shaw
Franks (NJ)	Maloney (NY)	Shays
Frelinghuysen	Manton	Shimkus
Furse	Manzullo	Smith (MI)
Galleghy	Markey	Smith (NJ)
Ganske	Mascara	Smith (OR)
Gejdenson	McCarthy (MO)	Smith (TX)
Gekas	McCarthy (NY)	Smith, Adam
Gephardt	McCollum	Smith, Linda
Gibbons	McDade	Snowbarger
Gilchrest	McGovern	Solomon
Gillmor	McHale	Souder
Gilman	McHugh	Spence
Goode	McInnis	Spratt
Goodlatte	McIntosh	Stabenow
Goodling	McIntyre	Stearns
Gordon	McKeon	Stump
Goss	McNulty	Stupak
Graham	Meehan	Sununu
Granger	Menendez	Talent
Greenwood	Metcalf	Tanner
Gutknecht	Mica	Tauscher
Hall (OH)	Miller (FL)	Tauzin
Hall (TX)	Minge	Taylor (NC)
Hamilton	Moakley	Thomas
Hansen	Mollohan	Thornberry
Hastert	Moran (KS)	Thune
Hastings (WA)	Moran (VA)	Thurman
Hayworth	Morella	Tiahrt
Hefley	Murtha	Tierney
Hergert	Myrick	Towns
Hill	Nadler	Upton
Hilleary	Neal	Vento
Hinchey	Nethercutt	Visclosky
Hobson	Neumann	Walsh
Hoekstra	Ney	Wamp
Holden	Northup	Watkins
Hooley	Nussle	Watts (OK)
Horn	Oberstar	Waxman
Hostettler	Obey	Weldon (FL)
Houghton	Olver	Weldon (PA)
Hoyer	Oxley	Weller
Hulshof	Packard	Wexler
Hutchinson	Pallone	Weygand
Hyde	Pappas	White
Inglis	Parker	Whitfield
Istook	Pascrell	Wicker
Jenkins	Paul	Wise
John	Paxon	Wolf
Johnson (CT)	Pease	Woolsey
Johnson (WI)	Peterson (MN)	Young (AK)
Jones	Peterson (PA)	Young (FL)
Kanjorski	Petri	
Kaptur	Pickering	
Kasich	Pickett	
Kelly	Pitts	
Kennedy (MA)	Pombo	
Kennelly	Pomeroy	

NAYS—90

Abercrombie	Clyburn	Fattah
Baessler	Coburn	Filner
Becerra	Conyers	Ford
Bentsen	Cummings	Frost
Berry	Davis (IL)	Green
Bilbray	Deal	Gutierrez
Bishop	Dellums	Harman
Brown (CA)	Doggett	Hastings (FL)
Brown (FL)	Dooley	Hefner
Carson	Edwards	Hilliard
Clay	Etheridge	Hinojosa
Clayton	Evans	Hunter

Jackson (IL)	Owens	Shadegg
Jackson-Lee	Pastor	Sherman
(TX)	Payne	Skeen
Jefferson	Pelosi	Skelton
Johnson, E. B.	Price (NC)	Snyder
Kennedy (RI)	Rangel	Stark
Klecza	Reyes	Stenholm
Lantos	Rodriguez	Stokes
Lewis (GA)	Rohrabacher	Strickland
LoBiondo	Rothman	Taylor (MS)
Martinez	Roybal-Allard	Thompson
Matsui	Rush	Torres
McKinney	Salmon	Traficant
Meek	Sanchez	Turner
Millender	Sandlin	Velazquez
McDonald	Scarborough	Waters
Miller (CA)	Schaffer, Bob	Watt (NC)
Mink	Scott	Wynn
Ortiz	Serrano	

NOT VOTING—18

Boucher	Foglietta	McDermott
Burton	Gonzalez	Norwood
Cubin	Johnson, Sam	Riley
Dingell	Klug	Roukema
Ewing	Largent	Schiff
Flake	McCrery	Yates

□ 0055

Messrs. WYNN, TORRES, ABERCROMBIE, LOBIONDO, SHADEGG, BOB SCHAFFER of Colorado, SCARBOROUGH, and SHERMAN changed their vote from "yeas" to "nays."

Mrs. MALONEY of New York, Mr. MOAKLEY, and Mr. KENNEDY of Massachusetts changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

Ms. PRYCE of Ohio. Pursuant to clause 5 of rule I, the pending business is the question de novo of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1189. An act to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes.

S. 1228. An act to provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, and for other purposes.

S. 1507. An act to amend the National Defense Authorization Act for Fiscal Year 1998 to make certain technical corrections.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 738, AMTRAK REFORM AND ACCOUNTABILITY ACT OF 1997

Mr. DIAZ-BALART (during consideration of H.R. 2920) from the Committee